

MIKE ROGERS

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Congress of the United States

House of Representatives

Washington, DC 20515-0103

June 7, 2011

HOMELAND SECURITY COMMITTEE
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CHAIRMAN

BORDER AND MARITIME SECURITY
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*MS
Satchell
769*

The Honorable Julius Genachowski
Chairman
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Dear Chairman Genachowski:

I would like to bring to your attention the longstanding problems with regard to satellite television service that many of my constituents in East Alabama, as well as I, have very strong concerns about.

The 3rd District which I represent is mostly rural and runs most of the length of the Alabama- Georgia border. Five of the thirteen counties I represent are in out-of-state digital marketing areas (DMAs) – Cleburne and Randolph Counties are in the Atlanta, GA DMA; and Chambers, Lee, and Russell Counties are in the Columbus, GA DMA. Many Alabama residents in these areas would prefer to have the option of receiving Alabama-based broadcast television stations.

In addition because severe weather in the area typically moves from west to east, and because many satellite customers in these counties only receive Atlanta-based broadcast television stations, Alabamians in these counties potentially receive little warning through local broadcast television channels about dangerous weather until it is already affecting their homes. The devastating tornadoes in late April that killed over 230 Alabamians demonstrate how quickly severe weather can move across the state. Therefore, I respectfully request that your office explore ways to allow these counties to receive Alabama-based broadcast television stations. I understand that there are potential technological and contractual legal issues involved. Following your office's review, I would like to meet with you to discuss options.

Thank you for your kind consideration of my request. If you have any questions feel free to contact me or Cameron Bishop on my staff at 225-3261. I look forward to meeting with you soon.

Sincerely,

Mike Rogers
Member of Congress

14 JUN 2011 RCVD

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FEDERAL COMMUNICATIONS COMMISSION

July 15, 2011

JULIUS GENACHOWSKI
CHAIRMAN

The Honorable Mike Rogers
U.S. House of Representatives
324 Cannon House Office Building
Washington, D.C. 20515

Dear Congressman Rogers:

Thank you for your letter concerning the availability of in-state broadcast television stations to residents of East Alabama who subscribe to satellite television service. I share your concern that some satellite television subscribers in East Alabama may not have access to programming that originates from television stations licensed to communities in Alabama.

As you may know, federal law requires that satellite television carriers use the Designated Market Area (DMA) as defined by the Nielsen Company to determine which local television stations to include in their local programming packages. Recognizing that this requirement may limit the availability of in-state programming to some consumers, the Satellite Television Extension and Localism Act of 2010 (STELA) directed the Commission to prepare a report regarding in-state broadcast programming. Among other things, the report will examine whether there are alternatives to the use of Nielsen DMAs that could provide more consumers with in-state broadcast programming. The Commission issued a *Public Notice* seeking information for this report and is required to submit its findings to Congress in August 2011.

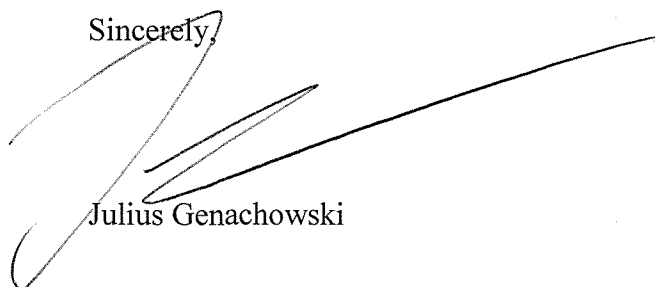
The Commission also adopted a *Report and Order* implementing provisions of STELA designed to make the carriage of "significantly viewed" out-of-market stations easier for satellite television carriers. I am hopeful that in the wake of this *Order*, satellite carriers will expand the availability of significantly viewed television signals to consumers. In Alabama, for example, WBRC-DT (Fox) and WVTM-DT (NBC), which are licensed to Birmingham, are deemed to be significantly viewed and eligible to be provided to satellite consumers residing in Cleburne County. WSFA-DT (NBC), licensed to Montgomery, is significantly viewed and may be provided to satellite television consumers in Lee County.

I would like to mention, as well, that some satellite television consumers across the country switch to over-the-air television for viewing local channels in addition to – or sometimes in lieu of – the satellite provider's local service. In-state television broadcast stations generally are available over-the-air to consumers in several counties located in East Alabama and might present an alternative for those viewers, particularly in cases of emergency.

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I appreciate your interest in this important matter. Please do not hesitate to contact me if I may be of further assistance.

Sincerely,

A handwritten signature in black ink, consisting of several fluid, overlapping strokes that form a stylized representation of the name Julius Genachowski.

Julius Genachowski